



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/805,596	03/19/2004	Daniel L. W. Chieng	D2A1230-1	1464

42671 7590 06/11/2007
LAW OFFICES OF MARK L. BERRIER
3811 BEE CAVES ROAD
SUITE 204
AUSTIN, TX 78746

EXAMINER

YAARY, MICHAEL D

ART UNIT	PAPER NUMBER
----------	--------------

2193

MAIL DATE	DELIVERY MODE
-----------	---------------

06/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/805,596	Applicant(s) CHIENG ET AL.	
	Examiner Michael Yaary	Art Unit 2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 19 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-21 are pending in the application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 7, 10, 11, and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Han (US Pat. 5,648,922).

4. **As to claim 1**, Han discloses a method comprising:

Storing a plurality of sets of filter coefficients in a memory (abstract, lines 1-5 and column 3, lines 10-28);

Selecting a first one of the sets of filter coefficients (column 3, lines 10-28);

Interpolating the first selected set of filter coefficients (column 2, line 57-column 3, line 6);

Convolving the interpolated first selected filter coefficients with an input signal to produce a filtered output result (column 5, lines 10-29).

Art Unit: 2193

5. **As to claim 7**, Han further discloses the plurality of sets of filter coefficients are stored in a single memory (column 2, lines 11-15).
6. **As to claims 10 and 11**, the claims are rejected for the same reasons as claim 1 above.
7. **As to claim 19**, the claim is rejected for the same reasons as claim 7 above.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2-4 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han.
10. **As to claims 2-4 and 12-14**, Han does not disclose the input signal comprises an audio signal, the input signal is convolved in a sample rate converter of a digital audio amplifier, and the sample rate converter is implemented in a PWM amplifier. Examiner is taking official notice that using an audio signal as input, convolving in a

Art Unit: 2193

sample rate converter of a digital audio amplifier, and implementing in a PWM amplifier was well known in the art at the time the invention was made.

11. Therefore, it would have been obvious to one of ordinary skill in the art the time of the invention to modify the teachings of Han, by using the well known knowledge of an audio signal as input, convolving in a sample rate converter of a digital audio amplifier, and implementing in a PWM amplifier for the benefit of converting from one sample rate into another sample rate and completing filter operations. Motivation to implement this well known knowledge can be found in that audio or image signals are well known in the art to be used for filtering into an output signal and that PWM amplifiers are often used in telecommunications and audio signals as a method of reducing the total amount of power delivered.

12. Claims 5, 6, and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han in view of Thompson (US Pat. 5,928,313).

13. **As to claims 5 and 15**, Han does not disclose selecting the first one of the sets of filter coefficients comprises reading a value stored in a filter selection register and selecting the first one of the sets of filter coefficients based upon the value.

However, Thompson discloses selecting the first one of the sets of filter coefficients comprises reading a value stored in a filter selection register and selecting the first one of the sets of filter coefficients based upon the value (column 7, line 56-column 8, line 7).

14. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Han, by reading a value stored in a filter selection register and selecting the first one of the sets of filter coefficients based upon the value, as taught by Thompson, for the benefit of utilizing the hardware as being fast enough to process incoming samples in real time.

15. **As to claim 6**, Thompson discloses changing the value in the filter selection register to a new value and selecting the a new one of the sets of filter coefficients based upon the new value (column 8, lines 7-19).

16. **As to claim 16**, Thompson discloses the filter selection register is configured to allow modification of the filter selection value (column 8, lines 7-19).

17. **As to claim 17**, Thompson discloses a digital signal processor (DSP) wherein the filter selection register is configured to allow modification of the filter selection register by the DSP (column 4, lines 27-35 and column 7, line 61-column 9, line 16).

18. **As to claim 18**, Thompson discloses the filter selection register is configured to allow modification of the filter selection register by user input via the user interface (column 2, lines 16-37).

19. Claims 8, 9, 20, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Han in view of Auld et al. (hereafter Auld)(US Pat. 6,411,333).

20. **As to claims 8, 9, 20, and 21**, Han does not disclose the first selected set of filter coefficients are interpolated according to a cubic spline algorithm, and each of the plurality of sets of filter coefficients comprise polyphase filter coefficients.

However, Auld discloses first selected set of filter coefficients are interpolated according to a cubic spline algorithm, and each of the plurality of sets of filter coefficients comprise polyphase filter coefficients (column 11, lines 46-50).

21. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Han by having the first selected set of filter coefficients be interpolated according to a cubic spline algorithm, and each of the plurality of sets of filter coefficients comprise polyphase filter coefficients, as taught by Auld, for the benefit of effectively interpolating multi-dimensional data.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Yaary whose telephone number is (571) 270-1249. The examiner can normally be reached on Monday-Friday, 8:00 a.m - 5:00 p.m..


Art Unit: 2193

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MY

MY


MENG-AI AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100